

United States District Court
Northern District of California

DIGITAL REG OF TEXAS, LLC,

Plaintiff,

v.

ADOBE SYSTEMS INCORPORATED,
VALVE CORPORATION, ELECTRONIC
ARTS INC., UBISOFT, INC., SYMANTEC
CORPORATION, AVG TECHNOLOGIES
USA, INC., ZYNGA GAME NETWORK
INC., ZYNGA, INC., and INTUIT INC.,

Defendant.

Case No.: CV 12-01971-CW (KAW)

ORDER RE: PENDING MOTION TO
COMPEL COMPLIANCE WITH PATENT
L.R. 3-1(c) AND STRIKE PART OF
PLAINTIFF'S INFRINGEMENT
CONTENTIONS

On October 16, 2012, this matter was referred to U.S. Magistrate Judge Kandis A. Westmore for discovery purposes. Dkt. No. 247. The parties are hereby directed to the Court's General Standing Order, available online at <http://www.cand.uscourts.gov/kaworders>.

On October 11, 2012, Defendant Zynga Inc. filed its motion to compel Plaintiff Digital Reg of Texas, LLC's compliance with Patent L.R. 3-1(c) and to strike part of Plaintiff's infringement contentions. Dkt. No. 246. Chief Judge Wilken vacated the hearing on the motion previously scheduled for November 15, 2012. Dkt. No. 247.

Pursuant to the Court's Standing Order, formal motions to compel will not be entertained, and the parties are ordered to meet and confer to resolve the pending dispute regarding the amendment of Plaintiff's infringement contentions (ICs) to comport with the Patent Local Rules. In conferring, the parties should take into account the likelihood of Plaintiff obtaining leave to amend its ICs to add new apps not included in the original infringement contentions pursuant to Patent L.R. 3-6, which requires a timely showing of good cause.

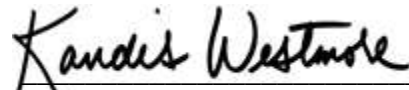
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1 Since time is short, should those meet and confer efforts fail to fully resolve all issues of
2 contention, the parties shall jointly write and file a letter outlining any remaining discovery
3 disputes consistent with the Standing Order within fourteen (14) days of this order. In addition,
4 the joint letter shall contain (1) an informal description of the technology at issue in the '670
5 Patent, and not merely a restatement of the patent language or language contained in the
6 complaint or any other filing in this action, and (2) how Zynga's apps allegedly infringe upon the
7 '670 patent.

8 Upon receipt of the joint letter, this Court will decide whether a hearing is necessary or if
9 any outstanding issues may be resolved without a hearing pursuant to Civil L.R. 7-1(b).

10 IT IS SO ORDERED.

11
12 DATE: October 22, 2012



KANDIS A. WESTMORE
United States Magistrate Judge